

February 25, 2004

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, February 25, 2004, at 6:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

PABLO CUEVAS, Election District #1
CHARLES W. AHREND, Election District #2
DEE E. FLOYD, Election District #3
WILLIAM B. KYGER, JR., Election District #4
MICHAEL A. BREEDEN, Election District #5

Also present:

JOSEPH S. PAXTON, County Administrator
G. CHRIS BROWN, County Attorney
STEPHEN G. KING, Deputy County Administrator
JAMES L. ALLMENDINGER, Director of Finance
JENNIFER M. HOOVER, Director of Public Works
WILLIAM L. VAUGHN, Director of Community Development
DOTTIE L. BOWEN, Deputy Clerk
DONALD F. KOMARA, Resident Engineer
Virginia Department of Transportation

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CALL TO ORDER
PLEDGE OF ALLEGIANCE AND INVOCATION.

Chairman Ahrend called the meeting to order at 6:00 p.m.

Community Development Director Vaughn led the Pledge of Allegiance, and Supervisor Floyd gave the Invocation.

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APPROVAL OF MINUTES.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD -

AYE; KYGER - AYE; the Board approved the Minutes of the Regular Meeting held on February 11, 2004, (spelling correction on page 4) and the Work Session held on February 18, 2004.

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STUDENTS WELCOMED.

The Board welcomed students from Turner Ashby and Spotswood High School government classes.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara's report on the activities of the Transportation Department.

Supervisor Breeden asked whether the School Board had agreed to lights being installed at Elkton Middle School. Mr. Komara answered in the affirmative, noting that lights would be installed and flashing signals would be included.

In response to a question from Supervisor Floyd concerning the speed limit on Route 689, Mr. Komara said he would receive an update on that matter later in the week and would relay the information to Supervisor Floyd.

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RESOLUTION NO. 04-03 - CART FUNDING APPLICATION.

Following a presentation by Ms. Betty M. Newell, CART President, and discussion by the Board, on motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following resolution.

RESOLUTION NO. 04-03

BE IT RESOLVED by the Rockingham County Board of Supervisors that the Community Association for Rural Transportation, Inc., hereafter referred to as "CART," is authorized for, and on behalf of, Rockingham County, hereafter referred to as the "PUBLIC BODY," to execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, hereafter referred to as the "DEPARTMENT," for a grant of financial assistance in the amount of \$576,980 to defray the costs borne by CART for public transportation purposes, to accept

from the DEPARTMENT grants in such amounts as may be awarded, and to authorize CART to furnish to the DEPARTMENT such documents and other information as may be required for processing the grant request.

The Rockingham County Board of Supervisors certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia, that the PUBLIC BODY and CART will provide \$124,105, which will be used to match the State funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the PUBLIC BODY may be subject to audit by the DEPARTMENT and by the State Auditor of Public Accounts, and that funds granted the PUBLIC BODY for defraying the expenses of CART shall be used only for such purposes as authorized in the Code of Virginia. The undersigned duly qualified and acting Deputy Clerk of the PUBLIC BODY certifies that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the Board of Supervisors held on February 25, 2004.

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ARTS COUNCIL OF THE VALLEY.

The Board heard a presentation by Mr. John Neff, President, and Robin Porter, Executive Director, Arts Council of the Valley, concerning the Council's activities.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. Paxton's staff report dated February 20, 2004, concerning the lease with Jenkins Automotive, commendation to Finance staff by the Governmental Accounting Standards Board, proposed City/County/Town meetings, Plains District Community Center, proposed regional bicycle advisory committee, proposed radio system, health insurance, and the Route 11 North property.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board named the Route 11 North County-owned property "Rockingham County Technology and Industrial Park."

There was a consensus of the Board to ask the Chairman and County Administrator to attend the next Town Municipal meeting to express interest in meeting with the towns, with the City of Harrisonburg to be included later as any city-related matter arises.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as requested by the Central Shenandoah Planning District Commission, the Board appointed William Vaughn to the Regional Bicycle Advisory Committee.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Finance Committee in regard to Plains Community Center, the Board:

- a. Authorized staff to move forward with the purchase of equipment listed in the report. The Committee anticipates recovery of the majority of these funds from donations from businesses and civic groups in the community. Staff will come back to the Committee for appropriation of the funds when the donations are received.
- b. Authorized staff to employ a center supervisor, custodial staff and part-time workers to supervise the center on nights and weekends. The total estimated cost of these employees from April 1 through June 30, 2004, is \$24,200, with funding provided in part from a lease with Valley Program for Aging (\$1,050) and from the Broadway-Timberville Chamber of Commerce (\$2,100). Existing budgeted funds of \$5,100 will be used for part of the custodial salaries.
- c. Approved a transfer from the contingency of \$19,100 to 07103 (Parks- Maintenance) to fund these positions.

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COUNTY ATTORNEY'S STAFF REPORT.

There was a consensus of the Board to authorize the County Attorney to:

1. Advertise a public hearing on the intent of the County to lease County-owned property located at the corner of East Gay Street and South Mason Street (Goodyear Building) and to prepare for the Board's consideration a draft three-year lease with Jenkins Automotive Service for the property located in close proximity to the Rockingham County Administration Center, with the draft lease to include the following provisions.
 - a. Term to end on June 30, 2008
 - b. One year notice of non-renewal

- c. Lease amount per month - \$3,450 (15% increase over current lease), to be increased annually by yearly average CPI.
2. Prepare, for the Board's consideration, a draft lease with Valley Program for Aging Services for use of a portion of the Plains Community Center.

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DEPUTY COUNTY ADMINISTRATOR'S STAFF REPORT.

Mr. King did not have a written report but was present to answer questions.

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FINANCE DIRECTOR'S STAFF REPORT.

Mr. Allmendinger did not have a written report but was present to answer questions.

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Ms. Hoover's staff report dated February 20, 2004, including information concerning progress on the sewer project for Route 11 North; Lilly Gardens; Countryside water system; Penn Laird Drive and Water Tower Road sewer; Lakewood/Massanetta Springs pump station, Spotswood High School waterline extension, Wal-Mart water and sewer project, and the Three Springs back-up power.

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Vaughn's staff report dated February 20, 2004, including information concerning Planning Commission activities, Commonwealth GIS Day, priority projects underway, tabled requests, and upcoming requests.

S03-26, REQUEST OF WINFIELD KELLY STRAUGHEN, JR.

At Chairman Ahrend's request, on motion by Supervisor Kyger, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board removed from the table S03-26, request of Winfield Kelly Straughen, Jr. 5387 North Valley Pike, Harrisonburg, for entertainment outside a building (off-road vehicle park, concerts, paintball park) on property located on the west side of North Valley Pike (Route 11) approximately 3/4 mile north of Melrose Road (Route 724) in Linville Magisterial District, Election District #2, zoned A-2. (This request was tabled by the Board on 4/9/03.)

At Chairman Ahrend's request, Supervisor Kyger moved and Supervisor Breeden seconded to approve S03-26, request of Winfield Kelly Straughen, Jr., with the removal of the word "concerts" and subject to a number of conditions.

Chairman Ahrend read the conditions, noting that he did not believe the site was suitable for farming.

Supervisor Cuevas expressed concern that alcohol would be permitted on the grounds and also concern for the safety of unsupervised children using the facilities. Supervisor Kyger pointed out that State law would govern the use of alcoholic beverages. Supervisor Cuevas stated that he had visited the site and observed a child standing up in the cab of a truck while an adult was driving through the course, other children riding bicycles in the creek bed, and another child trying to push on a moving truck. He asked the applicant to take particular care that the safety of children was closely monitored.

Supervisor Floyd expressed concern about the neighbors around the site. He reminded the Board that the neighbors submitted a petition in opposition.

The motion to approve the request, subject to the following conditions, carried by a vote of 4 to 1, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - NO; KYGER - AYE.

- (1) The use shall be located in substantial accordance with plot plan as approved by the Board of Supervisors.
- (2) A commercial entrance permit shall be obtained from VDOT's Residency Office and shall be submitted to the Department of Community Development prior to obtaining final site plan approval.
- (3) The Health Department has approved portable privies for sewer waste and requires 1 privy per 100 people for each event. All other requirements of the Health Department shall be met.
- (4) These privies shall not be placed on the property permanently but only for each activity. They shall be placed on the property not more than 1 day prior to the activity and removed the day following the end of the activity.

- (5) There shall be no campground permitted on the property in association with this permit.
- (6) There shall be no food preparation on the premises for these activities in accordance with Health Department regulations.
- (7) This permit is issued for this applicant only and shall terminate if any of the property is sold or transferred to other than an entity owned by the applicant.
- (8) This permit is contingent upon a site plan being submitted to and approved by the County. No permits shall be issued by the Department of Community Development and no work shall be done on the property until such time as a site plan is approved.
- (9) Off-street parking shall comply with the Rockingham County Code.
- (10) On-premise advertising sign shall comply with the Rockingham County Code, and a permit shall be obtained for any sign.
- (11) There shall be no off-premise signs allowed unless all County and VDOT requirements for outdoor advertising signs are met.
- (12) Inasmuch as the Code allows one year for a use to begin after the permit is approved, applicant shall notify the Zoning Administrator prior to the first activity being held on the property.
- (13) This permit is for the off-road vehicle park and the paintball activity only. It does not include concerts, and no concerts or music festivals shall be permitted without further County approval.
- (14) With regard to the off-road vehicle park, the following conditions shall be met:
 - (a) Applicant shall install a tire-cleaning machine and tires on vehicles shall be completely cleaned prior to leaving property.
 - (b) There shall be no driving in the creek bed except at the designated crossing area.
 - (c) Applicant shall build a three-foot berm around the mud bog as required by DEQ.
 - (d) Applicant shall stabilize the stream crossings by placing rocks on the creek banks.
 - (e) Applicant shall stabilize the dirt mounds with grass in areas that do not maintain traffic.
 - (f) All vehicles participating in the off-road vehicle park shall have mufflers that meet the requirements of the Virginia State Code.
 - (g) Applicant shall comply with any other requirements of DEQ.
- (15) This special use permit shall terminate as to the paintball activity one-year from the date of approval

unless the Board renews the permit. If renewed, the Board reserves the right to add more conditions regulating the paintball activity. Applicant shall provide the Zoning Administrator with proof of an insurance policy covering paintball activities issued by an insurance company licensed to do business within the Commonwealth of Virginia.

- (16) There shall be no alcoholic beverages permitted while engaged in any activities allowed with this permit.
- (17) Neither of these activities shall operate after dark.
- (18) Failure to comply with any of the conditions of this special use permit may result in the revocation of the permit.

S03-43, JOHN A. BRANNER REVOKED.

Supervisor Cuevas noted that, although the Board had given Mr. John A. Branner an additional 45 days to comply with the conditions of his special use permit, he had not complied with those conditions. On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board removed from the table special use permit S03-43, John A. Branner for a small business contractor (Branners Excavating; Branners Water Supply) on property located on the southeast side of Timber Way (Route 42) and Lone Pine Drive (Route 618) in Plains Magisterial District, Election District #1, zoned A-2. Tax Map #52-(A)-60. A public hearing was held on 12/17/03 to consider revocation of the permit for violations of conditions and the matter was tabled to give Mr. Branner more time to correct the violations.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board revoked special use permit S03-43, John A. Branner.

CORRECTIONS TO ZONING ORDINANCE.

Mr. Vaughn reported that the Zoning Ordinance amendment approved in January to allow for "residence with independent living quarters" had incorrect numbering and that the County Attorney advised that the corrections could be made administratively without another public hearing. The Board authorized that the changes be made.

On motion by Supervisor Kyger, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the following corrections to the Zoning Ordinance.

PCO 04-03
Adopted 1-28-04
Corrected by the Board on 2-25-04

OA04-4

**AMENDMENT TO ZONING ORDINANCE
(CHAPTER 17) OF THE ROCKINGHAM COUNTY CODE**

AMEND:

Sec. 17-6. Definitions.

Dwelling, single-family with independent living quarters. A separate living unit located within a single-family dwelling and having direct interior access to the primary living unit.

Family, immediate: For the purpose of this ordinance, an immediate family member shall be parent, grandparent, child, grandchild, sibling, aunt or uncle.

Article VII. Use Regulations

Division 2. Structures

ADD:

17-120.1 Single family dwelling with independent living quarters.

- (a) **Purpose and intent.** The purpose of this section is to enhance the opportunities for independent living for family members, senior citizens and disabled persons, while maintaining the tranquility and integrity of single-family residential neighborhoods.
- (b) **Requirements.** Single-family dwellings with independent living quarters shall be permitted subject to the following provisions.
 - (1) No more than one (1) independent living quarter shall be permitted in any single-family dwelling;
 - (2) Independent living quarters shall not be metered separately for water or electric service or be separately connected to the public water or sewer system;
 - (3) No independent living quarters shall be constructed or occupied in any dwelling unless (a) the owner of record personally resides in such dwelling, (b) the independent living quarters are occupied by a person or group of persons meeting the definition of family in this ordinance, or (c) the independent living quarters or dwelling in which it is located is occupied by at least one (1) person who is sixty-two (62) years of age or older or disabled, or (d) the person living in the independent living quarters is the caretaker for either another person living in the independent living quarters or in the dwelling in which it is located;
 - (4) No independent living quarters shall have a floor area in excess of six hundred (600) square feet or twenty-five (25) percent of the floor area of the dwelling in which it is located, whichever is greater;
 - (5) Independent living quarters shall not be constructed for rental purposes nor shall any independent living quarters or dwelling in which it is located be used for purposes of transient occupancy or timeshare. For purposes of this section, the term “transient occupancy” shall mean occupancy for periods of less than ninety (90) consecutive days.
- (c) **Permits.**
 - (1) Applications for independent living quarters in a single-family dwelling shall be made to the Department of Community Development and must be signed by at least one (1) owner of record of the property upon which the independent living quarters shall be located.

- (2) A statement on a form prescribed by the Community Development Department, certifying that the occupants of either the dwelling or the independent living quarters are the owners of record of the property and that the occupants of the other section of the residence shall meet the requirements of subsection 17-120.1(b)(3) above.
- (3) After obtaining approval from the Zoning Administrator for the independent living quarters, a building permit shall be obtained to construct the independent living quarters within the dwelling on the property and all the necessary inspections shall be obtained.
- (4) When constructed at the same time as the residence, neither the residence nor the independent living quarters shall be occupied until such time as a certificate of occupancy is obtained from the County. When the independent living quarters are put in an existing single-family dwelling, the independent living quarters shall not be occupied until a certificate of occupancy is obtained from the County.
- (5) No independent living quarters shall be placed in any single-family dwelling, whether an existing dwelling or new dwelling, after adoption of this ordinance, without first obtaining the proper permits from the Community Development Department.

AMEND:

A-1 (Prime Agricultural) District:

Sec. 17-22. Permitted Uses.

- (q) Single-family dwelling, single-family dwelling with independent living quarters, or manufactured home (not including manufactured home parks or subdivisions as follows:

(1) When located on a separate lot of less than six (6) acres which was created before January 1, 1992 or

- (2) Single-family dwelling, single-family dwelling with independent living quarters, or manufactured home provided that:

- a. The farming operation to be served by the single-family dwelling, single-family dwelling with independent living quarters, or manufactured home qualifies for land use taxation under the county code;
- b. The single-family dwelling, single-family dwelling with independent living quarters, or manufactured home is located on a parcel of fifteen (15) acres or more, in the same ownership as the qualifying farming operation;
- c. There are no dwellings or manufactured homes on the parcel; and
- d. The proposed single-family dwelling, single-family dwelling with independent living quarters, or manufactured home is to be occupied by the owner of the farming operation, or the full time tenant-operator of the same farming operation, or a full time employee of the same farming operation; or

(3) Replacement of single-family dwelling or manufactured home (1) replacing a residential dwelling or manufactured home for which a special use permit was obtained; or (2) replacing a residential dwelling or manufactured home inhabited by the same occupant since before April 1, 1985; and in either any such event the replacement dwelling or manufactured home:

- a. Is situated on or adjacent to the site of the dwelling or manufactured home being replaced;
- b. The number of residential dwellings or manufactured homes on the parcel, whether occupied or not, shall not be increased, except for a temporary

period during construction of the replacement dwelling or placement of the replacement manufactured home where otherwise excepted in this chapter; and

c. All other requirements of this chapter are met.

(4) The addition of independent living quarters to an existing single-family dwelling on said property.

Sec. 17-23. Special uses.

(a) Single-family dwelling, single-family dwelling with independent living quarters, or manufactured home (not including manufactured home parks or subdivisions), not otherwise permitted, provided that, when sited after July 13, 1988 on a parcel of less than six (6) acres, created after July 13, 1988, such residential structure shall be no closer than three hundred (300) feet from an existing poultry facility; as defined in Section 17-173;

A-2 (General Agricultural) District:

Sec. 17-26. Permitted uses.

(ag) Single-family dwelling with independent living quarters.

RS-1 (Rural Service) District:

Sec. 17-30. Permitted uses.

(z) Single-family dwelling with independent living quarters.

RR-1 (Residential or Recreational) District:

Sec. 17-38. Permitted uses.

k Single-family dwelling with independent living quarters.

PG (Planned Growth) District:

Sec. 17-48.2. Permitted uses.

m Single-family dwelling with independent living quarters.

R-1 (Low Density Residential) District:

Sec. 17-50. Permitted uses.

(Single-family dwelling with independent living quarters.

R-2 (Medium Density Residential) District

Sec. 17-54. Permitted uses.

(l) Single-family dwelling with independent living quarters.

R-3 (General Residential) District

Sec. 17-58. Permitted uses.

((u) Single-family dwelling with independent living quarters.

R-4 (Residential Planned Community) District

Sec. 17-64. Permitted uses.

(s) **Single-family dwelling with independent living quarters.**

R-5 (Planned Residential) District

Sec. 17-79. Permitted uses.

(h) **Single-family dwelling with independent living quarters.**

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**RESOLUTION 04-04 - SOCIAL SERVICES - FRAUD
REDUCTION/ELIMINATION EFFORT
(FREE) PROGRAM.**

The Board heard a presentation regarding the Social Services Department's Fraud Reduction/Elimination Effort (FREE) Program by Mr. Donald D. Driver, Jr., Director, Harrisonburg/Rockingham Social Services District.

On motion by Supervisor Breeden, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following resolution.

RESOLUTION NO. 04-04

WHEREAS, the Virginia State Department of Social Services fraud program policies and procedures are impacted and guided by federal policies; and

WHEREAS, the local Department of Social Services agencies through out the various localities in the Commonwealth of Virginia operate Fraud Programs as per policies and regulations of the Virginia State Department of Social Services; and

WHEREAS, local agencies' capacities to recover funds through comprehensive and quality local programs are greatly impacted by available administrative funding; and

WHEREAS, local agencies may discontinue or modify their concentrated fraud program activities because of limited funding;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Rockingham County, Virginia, respectfully requests that actions be initiated at the federal level that would review and modify policies that provide administrative funds for state and local fraud programs. In particular, Federal Regulations under *Title 7: Agriculture, Part 273: Certification of Eligible Households, Section 273.18: Claims Against*

Households, should be reviewed for modification regarding retention of recoveries allowed to state and local government for fraud recovery activities.

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COMMITTEE REPORTS.

The Board heard Committee reports by Board members and staff.

The Board received a written report from William G. O'Brien, the Board's representative on the Shenandoah Valley Regional Airport Commission, concerning the Commission's activities.

On motion by Supervisor Breeden, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Buildings and Grounds Committee, the Board awarded a contract on an emergency basis to Don Largent Roofing in the amount of \$56,964 for repair of certain sections of the roof of the Rockingham County Administration Center, plus \$15,954 for replacement of the tapered roof installation. As recommended by the Finance Committee, on motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized transfer of these funds from the contingency to pay for this work.

The following Notice will be posted at the Rockingham County Administration Center.

Notice of Award of Contract

On Wednesday, February 25, 2004, the Rockingham County Board of Supervisors awarded a contract on an emergency basis to Don Largent Roofing. The contract is for the repair of certain sections of the roof of the Rockingham County Administration Center. The Board of Supervisors determined that the condition of certain sections of the roof of the Rockingham County Administration Center jeopardizes the safety of Rockingham County employees and certain vital equipment, including servers within the County's information system, and constitutes an emergency justifying the award of a contract on an emergency basis without competitive negotiation or competitive bidding.

Don Largent Roofing was selected because of its prior experience in performing repairs on the Rockingham County Administration Center roof, its prior low bids for roofing projects for the County, and the company's ability to perform the repairs in a timely manner.

Joseph S. Paxton, County Administrator

Mr. Paxton read the following statement as the basis for the emergency award of a contract to Don Largent Roofing.

"The Board of Supervisors of Rockingham County, Virginia (the "Board") recently learned of the poor condition of the roof over certain sections of the Rockingham County Administrative Center. Part of the existing roof, including the roof over the offices of the Department of Information Systems, has deteriorated to the point of jeopardizing the safety of Rockingham County employees and the servers and other equipment which make up a critical part of the County's information systems. Because of this potential risk to Rockingham County employees and equipment, the Board has determined that the condition of certain sections of the existing roof of the Rockingham County Administration Center constitutes an emergency justifying the immediate award of a contract for repair of the roof without competitive sealed bidding or competitive negotiation.

"The Board has received the attached bid from Don Largent Roofing. The Board has elected to accept the proposal by Don Largent Roofing due to that company's familiarity with the Rockingham County Administration Center roof, the quality of its previous work on the roof, its prior low bids on roofing projects for the County, and its ability to begin work on the roof promptly.

"For the reasons set forth above, the Board has awarded a contract to repair certain sections of the roof of the Rockingham County Administration Center to Don Largent Roofing without competitive sealed bidding or competitive negotiation."

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; as recommended by the Finance Committee, the Board:

- As requested by the Director of Social Services, approved the below-noted supplemental appropriation in the amount of \$75,500 to be used for adoptions (funded with Federal and State money, and requiring no local match).

Supplemental Appropriation: \$38,500 GL Code: 220-05302-200-5721-000
 (Adoption Subsidy)
 \$37,000 GL Code: 220-05302-200-5735-000
 (Special Needs Adoption)

- As requested by the Sheriff, approved the below-noted supplemental appropriation in the amount of \$10,459, to be used for equipment (funded with Federal and State money and requiring no local match).

Supplemental Appropriation: \$10,459 (rounded-up to the nearest dollar)
 \$ 10,383.00 GL Code: 001-03102-000-6065-000 (Minor Equipment)
 \$ 76.00 GL Code: 001-03102-000-6014-000 (Other Operating Expenses)

- As requested by the Sheriff, approved the below-noted supplemental appropriation in the amount of \$3,965, from gifts and donations to the Sheriff's Department to be used for equipment, printing, supplies, and training for Crime Prevention (requiring no local match).

Supplemental Appropriation: \$3,965.00

\$ 1,000 GL Code: 001-03102-000-3500-000 (Printing & Binding)
\$ 140 GL Code: 001-03102-000-5504-000 (Professional Development)
\$ 1,910 GL Code: 001-03102-000-6014-000 (Other Operating Supplies)
\$ 915 GL Code: 001-03102-000-6065-000 (Minor Equipment)

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board:

- As requested by the Fire & Rescue Chief, approved the below-noted supplemental appropriation in the amount of \$259,443 to carry forward funds that were originally budgeted in FY 01-02, for the upgrade of the 911 equipment purchased from Verizon. Funding will be from the General Fund Reserve.

Supplemental Appropriation: \$259,443 GL Code: 210-03506-000-8001-000
(Machinery and Equipment)

- As requested by the School Board, authorized advertising a budget amendment totaling \$ 1,341,675.

On behalf of the Extension Leadership Council, Chairman Ahrend invited the Board members, County Administrator and Deputy County Administrator to dinner at the Extension Service Offices, on Monday, April 26, 2004, at 6:00 p.m.

On motion by Supervisor Cuevas, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board agreed to cancel the first meeting in July, scheduled for July 14, 2004, and agreed that the July 28, 2004, meeting will commence at 3:00 p.m.

On motion by Supervisor Kyger, seconded by Supervisor Breeden and carried by a vote of 5 to 0, voting recorded as follows: AHREND - AYE; BREEDEN - AYE; CUEVAS - AYE; FLOYD - AYE; KYGER - AYE; the Board authorized advertising a public hearing for March 10, 2004, on the CrossRoads Valley Brethren-Mennonite Heritage Center, in order to comply with Federal requirements. This Center was endorsed by the Board as a TEA 21 Project on February 11, 2004.

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INFORMATION ITEMS.

Received the following Information Items from the
County Administrator:

- a. Notice of DEQ Public Meeting on March 2, 2004, at 7:00 p.m., on the Mossy Creek and Long Glade Run total maximum daily load (TMDL).
- b. Monthly water report, for January 2004, to the State Health Department.
- c. Letter dated February 18, 2004, from Friendship Industries, Inc., expressing appreciation for the County's support.
- d. Letter dated February 10, 2004, from Central Shenandoah EMS Council, announcing the appointment of David Cullen as its Executive Director.
- e. Building Inspections Report for January 2004.

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ADJOURNMENT.

By consensus, the Board adjourned the meeting at 8:20
p.m.

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Chairman